

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	Case No. 2986
)	
EUGENE HANNIBAL PARDI, D.O.)	FINDINGS OF FACT, CONCLUSION
Holder of License No. 2221 for the)	OF LAW, AND ORDER OF PROBATION
practice of osteopathic medicine in the)	
State of Arizona.)	
_____)	

The Arizona Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") at its formal administrative hearing regarding Eugene Hannibal Pardi, D.O. (hereinafter "Respondent" voted to send complaint No. 2986 back to an Investigative Hearing in a public meeting on December 8, 2001. Following the Board's review of information and evidence obtained pursuant to A.R.S. § 32-1855 and § 32-1855.01, and having considered the evidence and information in the matter and being fully advised, the Board enters the following Findings of Fact, Conclusions of Law and Order of Probation.

FINDINGS OF FACT

1. The Board is empowered, pursuant to A.R.S. § 32-1800, et seq to regulate the licensing and practice of osteopathic medicine in the State of Arizona.
2. Respondent is a licensee of the Board and the holder of License No. 2221 for the practice of osteopathic medicine in the State of Arizona.
3. Information was brought to the attention of the Board that Respondent may be medically and/or psychologically unable to safely and skillfully engage in the practice of medicine and/or may have committed one or more acts of unprofessional conduct as defined in A.R.S. § 32-

1854:

- a. On or about August 20, 2001 the Board received information that Respondent had relapsed by taking Percocet and Hydrocodone. Respondent admitted to the relapse and stated that he took the medication from his mother's prescriptions.
4. On June 27, 1998, the Board voted in a public meeting to authorize the Executive Director to sign and issue a Stipulated Consent Order regarding terms and conditions of probation including that Respondent shall abstain completely from the consumption of illicit drugs or any controlled substances unless such medication was prescribed from him by his treating physician.
5. In public session, the Board voted on August 23, 2001 that Respondent was medically and/or psychologically unable to engage in the practice of medicine and summarily suspended his license pending a hearing.
6. On August 20, 2001 Respondent entered in-patient treatment at Springbrook Northwest. Respondent was released from treatment on October 16, 2001.

CONCLUSIONS OF LAW

The aforementioned conduct alleged against Respondent constitutes unprofessional conduct as defined at A.R.S. § 32-1854:

- (3) Practicing medicine while under the influence of alcohol, narcotic or hypnotic drugs or any substance that impairs or may impair the licensee's ability to safely and skillfully practice medicine.
- (4) Being diagnosed by a physician licensed under this chapter or chapter 13 of this title or a psychologist licensed under chapter 19.1 of this title as excessively or illegally using alcohol or a controlled substance.
- (6) Engaging in the practice of medicine in a manner that harms or may harm a patient or that the Board determines falls below the community standard.
- (22) Using controlled substances or prescription-only drugs unless they are provided by a medical practitioner, as defined in section 32-1901, as part of a lawful course of

treatment.

- (26) Violating a formal order, probation or a stipulation issued by the Board under this chapter.
- (40) Any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.
- (41) Any conduct or practice that impairs the licensee's ability to safely and skillfully practice medicine or that may reasonably be expected to do so.

ORDER

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED THAT:**

1. Eugene Hannibal Pardi, D.O. ("Respondent"), Board License Number 2221, shall be placed on **PROBATION** for five-years. Respondent shall comply with the terms and conditions of probation as set forth herein:
2. Respondent's osteopathic medical license shall be **SUSPENDED** for a period of six months from the date of this Order.
3. From the date of this Order, Respondent shall obtain psychiatric or psychological treatment by a therapist(s) who is either a licensed psychiatrist and/or psychologist and is selected by Respondent and approved by the Board. Respondent shall comply with the therapist recommendation for the frequency of therapy treatment sessions. Respondent shall inform the Board by letter (mailed within ten days of the date of this Order) of the therapist's name; and, Respondent shall undertake and fully cooperate with a program of treatment established by the therapist. In the event Respondent changes therapists, he shall give the Board written notice within ten (10) days of said action. Respondent shall not discontinue or reduce the frequency of psychotherapy sessions

until he has submitted a written request to the Board and obtained Board approval.

4. Respondent's therapist(s) shall receive a copy of this Order and Board Staff shall cooperate with and disclose all relevant information in the Board's files concerning Respondent. The treating therapist shall be directed by Respondent to send to the Board a detailed written progress report every month for the remainder of the probation; and Respondent shall waive any confidentiality concerning his psychotherapy in order that the Board may receive full disclosure of information. The expense of the aforementioned therapy and the reports to the Board by Respondent's therapist shall be the sole responsibility of the Respondent.

5. Respondent shall provide a copy of this Order and any subsequent Orders to all facilities where Respondent is currently (or subsequently) employed as a physician and/or has (or subsequently receives) privileges to engage in the practice of medicine; and, Respondent shall continue to make the aforementioned disclosure and provide the copies of this Consent Order until the expiration of this Order. Respondent shall provide a copy of this Order and any subsequent Orders to all treating physicians, including emergency room physicians.

6. Respondent shall participate in ninety self-help meetings in ninety days per week through such organizations as A.A., N.A., C.A. and doctor's Caduceus group and then participate in a minimum of five meetings per week. Respondent shall keep a log of all meetings attended and have the log signed by the chairperson of the meeting. Respondent will provide the Board with a copy of the signed log the first of every month.

7. Respondent shall actively participate in the Board's Impaired Physician Program.

8. In the event Respondent ceases to reside in Arizona, he will give written notice to the Board of his new residence address within twenty (20) days of moving; and, the terms and duration

of suspension may be stayed by the Board until Respondent returns to Arizona.

9. Respondent shall continue to meet all licensing requirements such as continuing medical education and renewal requirements including applicable fees pursuant to A.R.S. § 32-1825.

10. The Board's Executive Director will send correspondence to the appropriate state and/or federal law enforcement agency disclosing information in the Board's possession which may establish criminal misconduct by Respondent

11. The Board may require that Respondent as part of his probation: (A) submit to and cooperate in any independent medical or psychological evaluation that is ordered by the Board for Respondent and conducted by the Board's designated physician/or psychologist which will be paid for by Respondent; (B) appear before the Board, upon receipt of a request by written or telephonic notification from the Board's Executive Director which will be given at least five (5) days prior to the Board meeting; and, (C) submit to random biological fluid testing and promptly provide (i.e. within sixty (60) minutes of notification) required biological fluids for testing and said testing will be done at the Respondent's expense.

12. Respondent shall reimburse the Board for all expenses associated with the investigation, hearing and continued monitoring of this matter within sixty days of receipt of the request for payment.

13. Respondent's failure to comply with the requirements of this Order shall constitute unprofessional conduct as defined at A.R.S. § 32-1854(26), as amended, and will be considered as grounds for further disciplinary action (e.g., suspension or revocation of license) in the event that Respondent fails to comply with any of the requirements of this Order.

14. This Order supercedes any prior Board Order.

15. **EFFECTIVE** the 8th day of December, 2001.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: 
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Served by personal service or
sending U.S. certified mail
this 14th day of December, 2001 to:

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Arizona Board of Pharmacy
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Phoenix AZ 85015

Drug Enforcement Administration
Attention: Diversion Section
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